

ADAM K. BULT, ESQ., Bar No. 9332
CHRISTOPHER D. KIRCHER, ESQ., Bar No. 11176
BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106
Telephone: 702.382.2101
Facsimile: 702.382.8135
Email: abult@bhfs.com
Email: ckircher@bhfs.com

Attorneys for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

NAT COOPER AND ANN COOPER,

Plaintiffs,

v.

OPPENHEIMERFUNDS INC.,
OPPENHEIMERFUNDS DISTRIBUTOR,
INC., AND DOES 1-10 AND ROES 1-10,
INCLUSIVELY,

Defendants.

CASE NO.: 2:11-cv-01889-ECR-RJJ

**STATEMENT REGARDING REMOVED
CASE**

Pursuant to this Court's minute order dated November 23, 2001 (Dkt. No. 3), Defendants OppenheimerFunds, Inc. ("OFI") and OppenheimerFunds Distributor, Inc. ("OFDI") (together "Defendants") state as follows:

1. Defendants received a copy of the complaint on October 26, 2011. *See* Notice of Removal (Dkt. No. 1) ¶ 1.
2. Defendants received a copy of the summons on October 26, 2011. *See id.*
3. There are no Defendants in this action who are citizens of Nevada. Defendant OFI is a citizen of Colorado and New York. *Id.* ¶ 12. Defendant OFDI is a citizen of New York. *Id.* ¶ 13. Does 1-10 and Roes 1-10 are defendants sued under fictitious names. For purposes of removal, the citizenship of such defendants "shall be disregarded." 28 U.S.C. § 1441(a). On information and belief, Plaintiffs Nat and Ann Cooper are citizens of Nevada. Notice of Removal ¶ 11. This case arises out of losses the plaintiffs allegedly suffered on their investments in the

1 Oppenheimer Champion Income Fund. The amount in controversy exceeds \$75,000 because
2 Plaintiffs allege that they suffered losses of \$108,000, and their account statements reflect that the
3 value of their Champion Income Fund shares declined by more than \$75,000 in the year 2008. *Id.*
4 ¶ 17.

5 4. Defendants filed their Notice of Removal on November 22, 2011, less than 30
6 days after they first received a copy of the complaint and summons.

7 5. This action was commenced in state court on October 21, 2011, less than one year
8 before Defendants filed their Notice of Removal.

9 6. Defendants are not aware of any other individual or entity that has been named or
10 served in this action.

11 DATED this 9th day of December, 2011.

12 **BROWNSTEIN HYATT FARBER SCHRECK, LLP**

13 By: /s/ Adam K. Bult

14 ADAM K. BULT, ESQ., Bar No. 9332

15 abult@bhfs.com

16 CHRISTOPHER D. KIRCHER., Bar No. 11176

17 ckircher@bhfs.com

18 BROWNSTEIN HYATT FARBER SCHRECK, LLP

19 100 North City Parkway, Suite 1600

20 Las Vegas, Nevada 89106

21 Telephone: 702.382.2101

22 Facsimile: 702.382.8135

23 *Attorneys for Defendants*

BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 NORTH CITY PARKWAY, SUITE 1600
LAS VEGAS, NV 89106
(702) 382-2101

CERTIFICATE OF SERVICE

Pursuant to Fed.R.Civ.P.5(b), and Section IV of District of Nevada Electronic Filing Procedures, I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and that the foregoing **DEFENDANTS' STATEMENT REGARDING REMOVED CASE** was served via electronic service on December 9, 2011 and to the addresses shown below:

David Liebrader, Esq.
LAW OFFICES OF DAVID LIEBRADER, APC
601 S. Rancho Drive, Ste. #D-29
Las Vegas, Nevada 89106

Attorney for Plaintiffs

/s/ Erin Parcels
An Employee of Brownstein Hyatt Farber Schreck, LLP

BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 NORTH CITY PARKWAY, SUITE 1600
LAS VEGAS, NV 89106
(702) 382-2101